

CITY COUNCIL, CITY OF LODI  
CITY HALL COUNCIL CHAMBERS  
FEBRUARY 6, 1963

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. of Wednesday, February 6, 1963. Councilmen Brown, Culbertson, Dow, Ullmann and Katzakian (Mayor) present. None absent.

Also present: City Manager Graves, Planning Director Rodgers, City Attorney Mullen and Administrative Assistant Carlton.

MINUTES Minutes of January 16, 1963 and January 30, 1963 were approved as written and mailed on motion of Councilman Brown, Culbertson second.

PUBLIC HEARINGS

REZONE S SIDE Notice thereof having been published in accordance with law, Mayor Katzakian opened the hearing on the proposed rezoning of properties located along the south side of Chestnut Street between School Street and Church Street from the R-3 limited multiple-family residential zone to the R-4 multiple-family institutional residential zone. There were no protests, written or oral. The City Manager read the recommendation of the Planning Commission that the rezoning be approved because of the proximity of R-4 zoning across the street to the north and east of the area and to facilitate the development of the property for multiple family use. After Council discussion, it was moved by Councilman Brown, Ullmann second, that Ordinance No. 743 rezoning the property on the south side of Chestnut Street between School Street and Church Street to R-4 be introduced. Motion carried.

ORD. NO. 743  
INTRODUCED

PLANNING COMMISSION

SCREENING City Manager Graves stated that the City Attorney, EASEMENTS Planning Director and he had met with the owners of residential property adjacent to the General Mills property and Mr. Tracy of General Mills and discussed the agreement between the property owners and General Mills for a screening strip to divide the residential area from the industrial area. The agreement calls for the developers to deed a 20-foot easement to the City and to plant this strip which will then be maintained by the property owners. If the Council feels such an easement is of benefit to the public, it would be possible for the City to accept the easement and to set rules for its planting and maintenance. The City Manager then read a proposed amendment to the Subdivision Ordinance by which the Planning Commission could require as a condition of approval of a subdivision map that screening areas be provided by the developer and maintained by the property owner in order to provide a visual and physical separation between different types of uses. There was some discussion regarding enforcing maintenance of the planting strip. The City Manager said that rules and regulations could be spelled out but should not be put in the ordinance. Councilman Culbertson moved the introduction of Ordinance 744 amending the City Code by providing

ORD. NO. 744  
INTRODUCED

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for the dedication of screening easements when required as a separation between different types of uses. The motion was seconded by Councilman Brown and carried.

#### COMMUNICATIONS

BERTSCH  
APPEAL

A letter was read from Mr. Tim Bertsch appealing the decision of the Planning Commission in denying his request for a variance to reduce the front yard requirement from 25 feet to 20 feet for his lots on Pacific Avenue immediately south of Elm Street. On motion of Councilman Dow, Culbertson second, the matter was set for public hearing on February 20, 1963.

ERICH ADDN  
RES. NO. 2597  
ADOPTED

A petition was filed by all the owners of 36.6 acres west of the General Mills Addition requesting the property be annexed to the City as the Erich Addition under provisions of the Annexation of Uninhabited Territory Act of 1939. There are less than twelve registered voters in said territory and the boundaries thereof have been approved by the County Boundary Commission. On motion of Councilman Brown, Dow second, the City Council adopted Resolution No. 2597, resolution of intention to annex the Erich Addition to the City of Lodi and setting public hearing thereon for March 20, 1963.

PEDESTRIAN  
MALL  
RES. NO. 2598  
ADOPTED

A letter was received from Louise Graffigna, Ralph Graffigna and Alfred F. Donald, Jr., requesting the Council to start proceedings as provided in Section 11100, et seq., of the Streets & Highways Code for the establishment of a pedestrian mall for the east 160 feet of the east-west alley in Block 9, City of Lodi, being the alley between the Lodi Theater Building and the Hotel Lodi Building. They intend to remodel the theater and hotel buildings so that shops would face onto the proposed mall and agree to deposit with the City money necessary for the improvement of the alley as a mall. City Attorney Mullen explained the legal aspects of the proposal. He said that a public hearing would be required and the earliest date for which it could be set was May 15, 1963. At the time of hearing, if 50% of the property owners abutting the alley object, the proceedings will be stopped; otherwise, an ordinance can be introduced making the change. Any person having an interest in property which might suffer damage by reason of the establishment of the proposed mall may file a claim for damages. If any damages were awarded, they would be paid by the proponents of the mall. The City Attorney recommended that notices of the proceedings be given to owners of the apartment house in this block and also the owners of the building formerly occupied by Turner Hardware. Councilman Dow moved the adoption of Resolution No. 2598, a resolution of intention to establish a pedestrian mall on the east 160 feet of the alley in Block 9, City of Lodi, and setting public hearing thereon for May 15, 1963. The motion was seconded by Councilman Brown and carried. City Attorney Mullen suggested that the petitioners meet with the City administration before the hearing to work out an agreement on improvement costs. Councilman Culbertson said the abutting property owners should be contacted.

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ABC LICENSES Notices of the following applications for alcoholic beverage licenses were read:

1. Retail package off-sale beer and wine for J. Herman and Mary Hops, Mission Cash Store, 620 South Central Avenue.
2. Retail package off-sale beer and wine, Mike B. and Amanda Martinez, Martinez Store, 35 North Sacramento Street.

#### REPORTS OF THE CITY MANAGER

CLAIMS Claims in the amount of \$137,546.16 were approved on motion of Councilman Brown, Dow second.

AWARD - City Manager presented the following bids on the  
AIR COMPRESSOR air compressor:

RES. NO. 2599	Machinery Supply Co. (Chicago-Pneumatic)	\$4,004.00
ADOPTED	Delta Tractor Co. (Ingersoll Rand)	3,692.00
	Edward R. Bacon Co. (Jaeger)	3,612.96
	George M. Philpott (Gardner-Denver)	3,558.30
	Western Traction Co. (Worthington)	3,500.64
	The Rix Company (LeRoi 85RGIE)	3,371.68
	Laurence Myers & Co. (Davey 85)	3,061.00

He reported that the low bid from Laurence Myers & Company did not meet the specifications and the next lowest bid from The Rix Company also did not meet the specifications since they omitted mentioning certain instruments required and did not state that they were bidding on the specifications. The next lowest bid, from Western Traction Company, meets the specifications. This bid included a proviso that if the company were awarded the bid on the street sweeper, \$100 would be deducted from the price of the air compressor. Since Western Traction Company was the only bidder meeting the specifications on the street sweeper, the cost of the air compressor would be \$3,400.64. Councilman Culbertson moved the adoption of Resolution No. 2599 rejecting the bids of Laurence Myers & Company and The Rix Company since they did not meet the specifications and awarding the contract for the air compressor to Western Traction Company. The motion was seconded by Councilman Dow and carried.

AWARD - The City Manager then reported on the two bids which  
STREET SWEEPER had been received for the street sweeper, one from Western Traction for \$9,343.36 and the other from Buran Equipment Company for \$10,600.00. The latter did not meet the specifications; therefore, only the bid from Western Traction Company was acceptable and the City Manager recommended that award be made to that company. On motion of Councilman Dow, Ullmann second, the City Council adopted Resolution No. 2600 awarding the contract for the street sweeper to Western Traction Company.

AWARD - The following bids were received on the Rose-  
ROSE-LOCKEFORD Lockeford Sanitary Line:  
SANITARY LINE

RES. NO. 2601	East Valley Underground	\$24,302.50
ADOPTED	A & E Pipelines	22,445.00
	Stockton Construction Co.	20,952.00
	Great Western Pipe Co.	20,789.50
	R. Goold & Son	20,383.00

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Wm. Burkhardt	\$19,977.50
A. Teichert & Son	19,844.00
D. A. Parrish & Sons	19,465.50
W. M. Lyles Co.	16,978.80
C. C. Young Co.	16,645.00
S. M. McGaw Co.	15,551.00

On motion of Councilman Brown, Dow second, the City Council adopted Resolution No. 2601 awarding the contract for the construction of the Rose-Lockeford Sanitary Line to the low bidder, S. M. McGaw Company, for a total of \$15,551.00.

AWARD -  
DELORES-LLOYD  
ST STORM  
LATERALS

Bids on the Delores-Lloyd Street Storm Laterals were as follows:

RES. NO. 2602  
ADOPTED

S. M. McGaw Co.	\$5,125.00
Stockton Construction Co.	4,885.00
A & E Pipeline	4,412.50
A. Teichert & Son	4,283.75
Great Western Pipe Co.	4,055.00
R. Goold and Son	3,992.75
C. C. Young Co.	3,775.00
W. M. Lyles	3,425.00
Wm. Burkhardt	3,279.50
C & G Pipelines	3,225.00
D. A. Parrish & Sons	3,210.00
Sterling Irrigation Co.	2,641.25

On motion of Councilman Dow, Ullmann second, the City Council adopted Resolution No. 2602 awarding the contract for the Delores-Lloyd Street Storm Sewer to the low bidder, Sterling Irrigation Company, for a total of \$2,641.25.

AWARD -  
CONCRETE PIPE

The following bids were received for the concrete pipe:

RES. NO. 2603  
ADOPTED

J. W. Mumbert Concrete Pipe Co.	\$10,332.20
Spiekerman Concrete Pipe Co.	9,893.00

On motion of Councilman Brown, Dow second, the City Council adopted Resolution No. 2603 awarding the contract for the concrete pipe to Spiekerman Concrete Pipe Company for \$9,893.00.

LAWRENCE BALL  
PARK SUN  
SCREEN

The City Manager reported that no bids had been received for the Lawrence Ball Park Sun Screen. Councilman Brown moved that since no bids had been received, that the Administration obtain bids on the open market for the Lawrence Ball Park Sun Screen. Motion was seconded by Councilman Dow and carried.

SPECS -  
GASOLINE, OILS  
AND GREASES

Specifications for gasoline, oils and greases were approved and advertising for bids authorized on motion of Councilman Culbertson, Brown second.

SPECS -  
POLICE CARS

On motion of Councilman Ullmann, Culbertson second, specifications for four police cars were adopted and call for bids authorized.

EASEMENT FROM  
SOUTHERN  
PACIFIC CO.

Mr. Graves presented for Council approval an indenture from the Southern Pacific Company for an overhead power line easement across the Company's right of way at Kettleman Lane. On motion of Councilman Brown, Dow second, the City Council adopted Resolution No. 2604 authorizing the Mayor and City Clerk to execute said indenture on behalf of the City.

RES. NO. 2604  
ADOPTED

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APPL. FOR  
FEDERAL FUNDS  
SOUTHSIDE  
SANITARY  
SEWER LINE

Mr. Graves notified the Council that word has been received from the Federal Housing and Home Finance Agency that the City's application for funds for construction of the Southside Sanitary Sewer under the Accelerated Public Works Program was being held on file without examination. At the present time, authorizations for such funds have been exhausted. The City will be notified of any change in priority status.

STATE  
LEGISLATIONRES. NO. 2605  
AND 2606  
ADOPTED

Mayor Katzakian stated that it has been the policy of the Council in the past to give the City Manager authority to contact legislators in Sacramento concerning bills affecting cities on which the City Council has established policy. The City often receives information concerning proposed legislation which has to be acted on immediately. In those instances when the City Manager knows the feeling of the Council, he is able to notify legislators and the League of California Cities staff of the City's stand on certain bills. The Mayor said the Central Valley Division of the League had gone on record as objecting to any legislation infringing on home rule and objecting to any bill which would require persons running for city council to do so on a partisan basis. Councilman Brown moved that the City Manager be appointed to contact the League staff and legislators on any proposed legislation which would affect the City. The motion was seconded by Councilman Culbertson. The City Manager stated that in those instances requiring a policy determination, the matter will be brought to the Council before action is taken. He suggested that on some bills it would also be worthwhile to have members of the Council express their views directly to the legislators. The motion carried unanimously. Councilman Culbertson moved the adoption of Resolution No. 2605 reaffirming the City's stand against any legislation infringing on home rule and against any legislation which would bring partisan politics into municipal elections. The motion was seconded by Councilman Brown and carried. Councilman Culbertson then moved the adoption of Resolution No. 2606 reaffirming the stand of the City in favor of an equivalent to 1¢ increase on the gasoline tax for improvement of city streets and county roads. The motion was seconded by Councilman Brown and carried.

WATER  
MEETING

The Mayor reminded members of the Council of the hearing before the Advisory Water Commission of the San Joaquin County Flood Control and Water Conservation District to consider water problems and the Kennedy Report as it relates to this area. The meeting is to be held in the Julia Harrison Memorial Building at Micke Grove on Wednesday, February 13, 1963. Mr. Graves stated that the Director of Public Works would be attending and suggested that members of the Council who expect to attend might find it worthwhile to go over the City's water problems with the director the afternoon before the meeting.

BEAUTIFICATION  
COMMITTEE

Mayor Katzakian said he had received a letter from the Lodi District Chamber of Commerce regarding the proposed City Beautification Committee. The Chamber of Commerce has a beautification committee

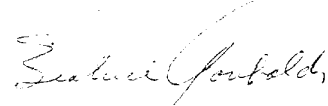
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and would like to discuss the matter with the Council before further action is taken. The Mayor said arrangements would be made with Mr. Jack Dutler, Manager of the Chamber.

CC INDUSTRIAL  
MEETING

The Mayor then reminded those present of the meeting of the Industrial Division of the Chamber of Commerce to be held at the El Topaz on the evening of February 12.

There being no further business, the meeting adjourned.



Attest: BEATRICE GARIBALDI  
City Clerk